

R E P O R T of the Committee appointed
by the Justices of Peace, for the S H I R E
of P E R T H, at their meeting 29th of
September 1772. for forming a Plan,
for detecting and prosecuting Petty Thefts,
and other Crimes.

T H E Committee are of opinion, that a great part of those petty Thefts, the Frequency of which has drawn the attention of the County, do take their Rise, from the Number of T I N K E R S and other Loose and Disorderly Persons, not having any visible means of Livelyhood; who are suffered to stroll through the County, contrary to the Laws made for preventing such pernicious practices; and until this abuse (which they consider as the root of the evil) can be corrected, by restraining all Persons from a vagrant way of life, they apprehend that all other Regulations, will be ineffectual, or at best will prove but temporary and partial remedies. But it is not consistent with the principles of Justice and Humanity, to enforce the penal laws against wandering and Begging, unless a sufficient provision be secured to the Poor within the parishes respectively to which they belong.

The Committee are likewise of opinion, that the suppressing a number of the petty Ale-houses through the County would cutt off a very copious source of the disorders complained of, as these houses are hurtful, both by corrupting the morals of the lower class of people, and by affording harbour to Vagrants. And that proper Regulations on these heads supported by a sum of Money, to be raised by Subscription, would be the most effectual means for carrying into execution the purpose for which the Committee was appointed.

They therefore after examining the Laws in being, with respect to Vagrants, and the former acts of the Quarter Sessions of this County, together with the late Associations of some other Countys for suppressing this
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Regulation Ist,

Care in granting Licences.

Reg. 2d.
Offenders to be punished and informations encouraged.

Reg. 3d,
Act of the Quarter Session 21st, September 1756, for maintenance of the Poor and suppression of Vagrants to be Enforced.

(2)

Growing Evil have framed the following resolutions which are submitted to the Quarter Sessions.

That at the next Term for granting Licences to publick Houses, all Persons applying for the same whether they have formerly had licences or not, do bring with them full and ample testimonials of their good Character from the Proprietors of the ground in which they live, or from some neighbouring Justice of the Peace; And that it be recommended to the Justices of the Peace, who may hereafter be entrusted with the care of that business to be cautious in the exercise thereof, and to attend to all complaints that may be brought against those who already have licences and to grant no new ones, without full certificates of the good character of the persons applying for the same and that the Clerk of the place be directed to cause proper intimation be given of this resolution.

That it be recommended to all Justices of the Peace, Heritors and others, to lodge with the Clerk of the Peace, informations against all Persons whom they shall observe make an improper use of their licences, particularly by harbouring Vagrants and other disorderly persons; and likewise against those who presume to vend any liquors without licences in order that licences may be withheld from the first, and that the others may be punished according to law. And that instructions to the same purpose be given to the Constables and to the Officers of Excise.

That the Act of the Justices of Peace of the Shire of Perth for the proper maintenance of the poor and for the suppression of Vagrants and sturdy beggars made on the twenty first day of September, One Thousand Seven Hundred and Fifty Six be revived and put into execution when altered as follows, viz.

1st, That from and after the day of
all stranger poor who belong to other Shires, and all Vagrants, sturdy beggars and idle persons, should be banished from the shire.

2, That the truly indigent and necessitous poor, should be

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be maintained according to law, in the Royal Burghs or parishes in which they have been born, or where they have had their chief Residence and resort for the last three years.

3. That in such parishes where the interest of the poors stock, and the collections and other casualties, are not sufficient for the support of their whole poor, the Heritors and the Minister and Elders, should meet half-yearly, and stent themselves in such further sums of money or meal as may be necessary for the ensuing half-year, one half upon the Heritors, and the other half upon the inhabitants in terms of law.

4. That after the said day of all Beggars whatsoever, that shall be apprehended, shall be held to be Vagrants, and be carried before the nearest Justice of the Peace, or the Sheriff or his substitutes, and by their warrants brought to the nearest County Goal and there fed on a small allowance of meal and water, and otherwise punished according to law; and thereafter be sent back to their respective parishes or banished the Shire and conducted to the limits thereof.

5. That it be recommended to the Free-Holders to impose upon the County such sum, in name of Rogue-money, as shall be sufficient for apprehending maintaining and prosecuting all Vagrants and other idle beggars, and for all the Contingent Expenses of this scheme, and to instruct their Collector to pay the same.

6. That one or more Constables shall be appointed in every parish for apprehending and committing all such Vagrants, according to the instructions to be given them, and that such Constables shall be allowed out of the Rogue-money of the Shire, as a premium Two Shillings and six-pence for the first five miles, and three-pence for each mile further they shall carry the prisoners, besides the expence of assistants, when found necessary.

The Justices recommend to the Sheriff-Depute, to see the laws relating to the poor and Vagrants strictly put in execution in Royal Burghs as well as other parishes, and that he should by letters to the Burghs and the several parishes inform them

them of the above resolutions, and send to them copies of the rules hereto subjoined for their direction, for carrying the same into execution; of which Rules the Tenor follows, viz.

Rules to be observed by the Heritors, Minister, and Elders, at their parochial Meetings, for the maintenance of the poor.

1st, That previous Notifications be made at the kirk of each Parish from the Reader's Desk to the Heritors, Minister, and Elders of the parish to meet together at the parish-kirk upon a day certain, in order to make up lists of their poor and to provide for their maintenance as the law directs; And this notification ought to be made on the two Sundays immediately preceeding the day of meeting.

2. At the said parochial meeting, any number of Heritors, Minister and Elders present may and ought to proceed to business; and for orders sake should first elect a Preses and Clerk to the meeting.

3. That the said meeting shall make up a List or Roll of all the poor, young and old which have either been born in the Parish or have had their chief Residence and resort therein for the last three years.

4. That the meeting shall Compute and estimate what sum may be necessary for the maintainance of each poor person, whose name shall be entered upon said list, according to their different necessities, until the of and shall then cast up or sum up the Quota, which shall be found necessary, for the maintainance of the whole.

5. That the meeting shall call upon the Minister and Elders of the Parish, to lay before them, a state of the funds mortified to the poor of the Parish, and of all the sums belonging to the poor; and that the yearly Interest or Income of such funds be, in the first place appointed for answering the Quota or sum found necessary for the maintainance of the poor of the Parish, as above

6. That

6. That the half of the weekly Collections, shall from time to time, be paid into the Collector to be named by the meeting, and that the same be applied for the maintenance of the stated or listed poor of the parish: and that the other half of the said collections shall be left in the hands of the Kirk-session, as a Fund for answering such occasional charities as may occur within the parish; and in order that such voluntary contributions may go as far as possible in maintaining the poor on an equal footing, the Meeting, shall order application to be made to all Heritors who do not reside within the Parish and to all Parishioners who have no opportunity of contributing at the Kirk doors, to contribute towards the maintenance of the Poor; and the contributions so given, shall be disposed of in the same manner, as those gathered at the Kirk-doors.

7. That if these two Funds shall not be sufficient, for answering the Quota ascertained, for maintenance of the poor, then the Meeting shall proceed to cast the one half of the sum deficient upon the Heritors of the parish, according to the valuations of their respective lands within the parish, and the other half upon the House-holders within the parish, according to their circumstances and substance without partiality.

8. That the Meeting appoint an Overseer or Collector, to receive the said maintenance for the poor, from the Kirk-session, Heritors and House-holders, liable therein and that Weekly, Monthly, or Quarterly, as the meeting shall appoint, and also to distribute the said maintenance to the poor, according to the proportions that shall be appointed to them by the Meeting; and the said meeting may likewise (if they find it necessary) appoint an Officer to serve under the Overseer, for inbringing of the maintenance, and for expelling stranger poor, from the parish, and the fee of this Officer together with the expence of sending Vagrants to Goal, and maintaining them there, and of transporting them to their own parishes or to the verge of the County, shall be stented on the parish as the maintenance of the poor is stented.

9. That all Ministers and Heritors, or any of them, shall give timeous notice to the Justices at their Quarter-Sessions, and to the Sheriff Depute, or his substitutes, if the parochial meetings, or the Heritors or Householders have failed to perform their duty; that so the Justices of the Peace or the Sheriff may without delay, proceed to execute the law against all such as shall fail in this important and Christian work, viz. by fining the Heritors Minister, and Elders, who shall fail to meet and provide for the poor as aforesaid, in the sum of Two hundred pounds Scots, one third to the informer and the remaining two thirds to the poor of the parish: and that monthly, toties quoties as they shall fail in their duty: and by fining the particular persons who shall fail to make payment of the sums or quota's assessed upon them, in the double of such quota's.

10. In order to lessen the expence of maintaining the poor, the said meeting are authorized and required to put such of the poor of the parish as are able, to work according to their capacities either within the parish, or in any adjacent manufactory as they shall think expedient,

11. That the parochial meetings for making up lists of the poor and providing for their maintainance, shall in all subsequent years be held upon the _____ of _____ and _____ of _____ of which notification shall always be given from the Reader's desk as aforesaid, and upon these days consult and determine upon the aforesaid matters relating to the maintainance of the poor for every ensuing half year, and shall make such alterations upon the lists of the poor, and Assessments for their maintainance, as the change of circumstances may require.

Relative to the fifth and sixth articles of the foresaid act, by which the expences of the scheme laid down in that act are appointed to be paid out of the Rogue-money, the Committee beg leave to remark that they are doubtful how far such an application of the Rogue-money is warranted by law, they being by a mature consideration of

of the ACT II. GEO. I. C, 26. by which that Fund is created, led to apprehend, that Vagrancy is not one of the crimes for the Prosecution of which the Legislature intended it should be applied, and to which it is strictly appropriated, and this opinion with regard to the application of the Rogue-money the Committee are informed was adopted lately by the Quarter-Sessions, when they had under consideration the agreement made with the Hospital of Perth, and these articles are the less necessary, that provision is made in the eight article for these expences according to law.

Reg 4th,
Constables to
be Named and
instructed in their
duty.

That whereas the authority of all laws depends in a great measure on their being strictly and vigorously put in execution, which cannot be done without appointing a sufficient number of Inferior officers properly qualified; and whereas the Committee have reason to think, that in several parts of this County there has been a want of attention in returning to the Quarter Sessions proper persons to serve as Constables in each Parish; without which the above resolutions can never be attended with any considerable effects: Therefore the Justices of Peace and Commissioners of supply in their district meeting, on the second Tuesday and Thursday of May next be directed by the Quarter Sessions to enquire whether there be a proper number of Constables appointed in each Parish within their district and where there are not two at least in each Parish, or where the parish shall appear to them to require more than are already appointed, or where they shall judge it necessary or reasonable, that other persons should be appointed in place of those who at present exercise this office: in all these cases the District meetings shall enquire out, and return to the Justices of Peace in the Quarter Sessions to be held on the day of

the names of such Substantial and Reputable persons as they shall judge to be the properest for executing that office in each parish; which persons they shall summon, to attend at the said Quarter Sessions, in order that if they be approved of there, the oath required may be immediately administered to them; and that they may immediately enter upon their office. That if any person shall neglect to obey such summons, he shall be punished according

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to law And that when the Constables are so appointed they shall be informed, that all neglect of their duty will be strictly enquired into, and severely punished, and that they may be furnished with a printed copy of the Instructions to Constables, of which the Clerk shall be directed to get a sufficient number of copies printed.

And here the Committee beg leave to observe, that on perusing the instructions given to Constables, there occurred to them some remarks which they hope it will not be thought foreign to the purpose of their appointment if they state here.

—The observations which occurred to them are,

1. That in the fourth article where Constables are Instructed to apprehend all persons guilty of atrocious crimes and to carry them before the next Justice of peace, there ought to be a clause added, Instructing them in such cases to bring along with them such persons as have access to know the particulars of the fact, that the Justice of peace may be enabled to proceed as the circumstances of the case may require.

That part of the seventh article by which Constables are Instructed, that when a person who has made a fray flies to a house the doors of which are shut against the Constables " he " may make patent doors. " does not appear to the committee to be fully warranted by law, and they do therefore humbly submit it to the Quarter Sessions as their opinion that in place of the words above cited the following words shall be inserted in the Instructions " He shall require the master " of the house to open his doors, and if he refuse, the Constable shall take witness thereupon and report the same to the Justices of the peace.

That to the tenth article be added the words " and of all " houses where ale or spirits are sold without Licences."

That the three following articles be added to the Instructions and inserted therein betwixt the Eleventh and Twelfth articles (1) they shall enquire after and inform against all persons who break Bridges, spoil or willfully break in upon, or hurt high ways, make muirburns, or are poachers of game
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and carry the offenders before the next Justice of Peace to be punished according to law. (2) They shall enquire after and inform against all persons who cut, steal, or destroy Trees, or young planting, or who break down hedges, ditches, or other fences, also against all stealers of Fish, wood, fruit, grass, pease, potatoes, cabbage, Kail, or turnip from ponds, Gardens, or fields, and they shall give such informations either to the Justices of the peace, or to the private party agrieved by such practices. (3) When they are required by any Officer of the Revenue, to go along, and be present at the doing any act to which the presence of a Constable is necessary, they shall immediately give obedience thereto, they being in case of refusal, subjected to a penalty by Act of Parliament.

That whereas many crimes which do immediately affect private persons but which in their consequences are extremely hurtful to Society in general, do frequently escape punishment from the unwillingness of such private sufferers to incur the trouble and expence of prosecuting the same; and as such impunity is often a temptation to ill disposed persons to proceed to greater and more audacious crimes; It appears to the Committee that these bad effects might in many cases be prevented if a method could be fallen upon by which such prosecutions might be carried on with little trouble and less expence to the party injured, by which all ranks of people might be interested in bringing offenders to justice, and a Fund might be raised for enforcing the Laws in being against Vagrants, and for prosecuting all offences which are not of such a nature that the Rogue-money can be applied towards the detecting and prosecuting of them. For answering these purposes, the Committee are of opinion that the most effectual means will be to set on foot a subscription under the following Regulations.

1st, That the subscription shall be any sum not under sixpence, nor above five Shillings sterling.

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Reg 5th.
A Subscripti-
on to be set on
foot for carrying
on such prosecu-
tions as cannot
be charged on
the Rogue-mo-
ney.

2. That every Subscriber who is injured in his person or effects, by street or High-way robbery, House-breaking, Theft, or such like crimes; shall be entitled to have the offenders prosecuted, and their goods recovered, at the expence of the Fund, the person injured giving the earliest intelligence of the crime committed and of the effects lost to the agent of the Society.

3. That every Subscriber whose Neighbourhood is infested by Vagrants or sturdy Beggars, or disorderly houses, shall be intitled to have the offenders prosecuted and removed upon application to the Agent of the Society.

4. That copies of the rules for the Society and subscription papers shall be sent to the Conveeners of the districts into which the County is divided for the management of High Roads to be by them distributed to the Ministers of all the parishes and to all other persons within the district whom they shall think proper; also to the Chief Magistrates of Perth and Culross, for the purpose of receiving subscriptions and that the money subscribed by each person shall be paid at the time of subscribing and their name marked together with the sum paid, either by the subscriber or by the person who has the care of the subscription paper, and that the money so collected be returned, together with the subscription paper, to the Conveener of the district to be by him transmitted to the Agent of the Society.

5. That the Agent of the Society shall upon receiving the money, be obliged with all convenient speed, to lodge the same in some Bank or Banking house of established Credit at the best interest that can be got for it.

6. That the Subscribers shall have the benefit of the Fund for one year only unless they renew their subscriptions for the next, the year being always understood to run from the first day of September to the last of August, at whatever time the subscription may be adhibited.

7. That the subscription papers shall be distributed as aforesaid on or before the first day of July each year to remain for subscription till the last Monday of August there.

thereafter and no longer; and then to be returned along with the subscription money as aforesaid.

8 That the Subscribers in each parish shall meet upon the last Monday of August yearly, either at the parish Kirk or at some other convenient place to be appointed by the Minister or failing him by the residing Heritors where they shall choose two of their number who shall be members of a Committee for choosing the sub-Committee or managers of the Society as aftermentioned and that notice of this meeting shall be given at least eight days previous thereto from the Reading desk on a Sunday.

9 That the Members who are chosen by the several parishes, together with the Provost Dean of Guild and eldest Baillie of Perth, and the chief Magistrate of Culrois, of whom fifteen shall be a Quorum, shall meet upon the first Friday of September yearly, in the Town-house of Perth by Twelve o'clock Mid-day, and elect any four of the Members of the Committee, who together with the Sheriff Depute or his substitute and the Agent shall be the Managers of the business of the Society, and shall continue the management for one year only unless re-elected.

10. That the Sheriff Depute or his substitute when present shall always be Preses of the sub-Committee, and in his absence the Agent of the Society, and in absence of both, the rest of the Members present, shall choose their own Preses; and the Preses shall have power to draw on the general Fund for defraying expences and to do every thing else for the benefit of the Society as occasion may require.

11. That any three of the sub-Committee shall be a Quorum except in passing the Agents accounts, when that number exclusive of himself shall be requisite.

12 That the persons who shall act as Presidents of the sub-Committee shall keep accounts of the method in which they have disbursed the sums for which they have respectively drawn on the general Fund; which accounts shall be submitted to the consideration of the sub-Committee of the succeeding year at the first meeting which shall be held after they are chosen.

13. That the Agent, and in his absence the Preses of the sub-Committee

Committee; shall have power to use proper means for apprehending securing and prosecuting offenders, and to take such measures as shall be judged most effectual for the prevention and discovery of crimes and Criminals, and for the preservation of good order and police, so far as may promote the interest of the subscribers to this institution. And the Sheriff Depute or his substitute or in his absence the Agent of the society or in absence of both any other member who has last acted as Preses shall have power to call meetings of the sub-Committee or any two of the other Committee signified in writing.

14. That the Agent for the society, shall make out the Minutes, and sederunts of both Committees; shall receive the money subscribed and subscription papers, and cause them to be wrote into one general Book every year; summing up the money and marking the number of subscribers, on or before the second day of October each year and shall yearly have a competent allowance from the Fund for trouble, Books, Paper, &c. at the modification of the sub-Committee or Quorum of them exclusive of himself.

15. That the Agent of the Society shall report to the sub-Committee, if any persons have given informations to him which he has reason to think were groundless or malicious, and the said sub-Committee shall have power, if they think fit, to order the prosecution to be stopped.

16. That the Agent of the society shall be appointed by the general meeting of the Justices of the peace and Commissioners of supply to be held at Michaelmas next and in case of a vacancy in the office of Agent the sub-committee shall appoint a proper person to act as agent till the general meeting of the Justices of the peace and Commissioners of supply then next ensuing whether it be held at Michaelmas or on the last day of April, and the said general meeting shall choose an Agent to supply the vacancy; the intended election being always intimated in the News papers ten days before the general meeting by the Sheriff of the County.

17. That the managers of the succeeding year shall have power to dispose of the surplus Funds of the preceeding year, and in case of the dissolution of the society the Quar-
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Quarter Sessions shall have power to dispose of the remaining funds of the Society.

18. That the general expences of the Fund, shall be reported annually to the General Meeting of the Justices of Peace and Commissioners of supply, which is held on the last day of April.

Conclusion.

The Committee cannot conclude this Report without observing, that upon perusal of the several statutes relative to the subjects which were referred to their consideration, it appeared that there are Laws in being, sufficient for the purposes of punishing all crimes whatsoever, suppressing vagrancy, and providing for the poor; and that the frequency of offences so obvious, and so justly complained of, arises principally from the neglect of enforcing those laws, and they beg leave to submit it as their opinion, that no orders whatever of the Quarter Sessions, formed upon the plan herein proposed or any other, can take effect unless there be a hearty concurrence of the Noblemen, Gentlemen, and Heritors of the County, in a vigorous resolution to carry the same, steadily, uniformly, and effectually into execution. And that the publishing acts of the Justices of the Peace, which are soon laid aside and fall into disuse tends to bring contempt upon their authority and to lessen the respect of the people for the laws of their country.

Follows the Memorial for the Synod of Perth and Stirling.

A Defect in the Police of this and of most other Counties of Scotland with respect to the poor is universally acknowledged. To this defect is to be ascribed the toleration of a practice attended with many unhappy consequences to the poor themselves as well as to the Public, that of allowing them to range thro' the country in quest of subsistence for themselves by begging from door to door.

The mischiefs resulting from this practice are so many and have of late in this County arisen to such an alarm-

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ing height as to claim the serious attention and most active endeavours of persons in public stations of authority to provide a remedy.

From being allowed in this manner to prey upon the Public, the lazy and indolent among the poorer do acquire an unconquerable aversion to industry, become inveterate in habits of wandering and idleness, and bring up families of children to dissipation and vice, who become the pest and nuisance of Society.

Lying impostors, are encouraged to travel to parts of the Country where their persons and circumstances are unknown, and by fictitious tales and forged attestations of distress, excite compassion and draw those supplies which are due to the really indigent alone. Vagrants and sturdy beggars stroll about, commit numberless petty thefts and too often crimes of a more daring and atrocious nature: from the well known insolence of these profligate wretches and often from fears of farther mischief, from their revengeful disposition people in country places are obliged to comply with their rapacious demands.

The swarms of common beggars who every day surround their doors clamorous for alms, is a grievance which people of all stations severely feel and loudly complain of. The supplies given to such tho' voluntary and dictated by the feelings of humanity, yet amount to a tax found heavy and oppressive by people in the middle and inferior ranks of life, especially by the Farmers and ordinary Tennants of this County, among the greatest parts of whom it is a maxim, however absurd, to let no beggar depart from their door without receiving alms, a handful of meal (their common bounty) 'tis true is of no great value, but when given every day to numbers, it amounts to no small quantity in the year, to a quantity indeed, much greater than they themselves are sensible of, tho' this indiscriminate charity operates as one and not the least inconsiderable cause of the declining circumstances of many among them.

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One thing is abundantly obvious that by giving alms to such numbers of vagrant poor, people in general become unwilling and indeed unable to contribute with that liberality which is necessary for the support of the indigent, within their respective parishes. If relieved from stranger beggars it is imagined that most parishes, at least in the interior parts of the County, would find it easy by means of voluntary contributions to provide a sufficient maintenance for the indigent belonging to, or residing in them.

From regard to the interest of the public in general from compassion for the unhappy situation of multitudes of really necessitous but neglected poor, as well as from abundant personal experience of the oppression of Beggars, the Clergy of the Synod of Perth and Stirling have long and anxiously sought after a remedy for this evil. Their own unassisted efforts they were sensible were unequal to the task, more extensive Funds than they can command in order to make provision for the indigent more coercive measures than they have powers to exercise, in order to restrain idle vagrants are necessary to give success to any scheme devised for these purposes. Convinced that the Gentlemen of the County, and they alone can effectually supply these defects, they resolved to lay this matter before them, and respectfully entreat their attention to the subject.

At their meeting in April last, the Synod were happy to be informed that some Gentlemen of rank and influence in the County, no less eminent for ability than public spirit, sensible of the defects in the police respecting the poor, had bestowed much attention upon that subject, and were zealously disposed to attempt a reformation. Farther informed that at a meeting of the Gentlemen of the County to be held about the beginning of Summer the state of the poor thro' the County was to be taken into consideration, the Synod regarded this as a favourable opportunity for them to state to the meeting, what particularly falls under the observation of the Clergy, the hardships the country labours under from the multitudes of vagrants, and the want of a suitable provision for the indigent within their several parishes, and to represent to the

Gentlemen

Gentlemen the earnest expectations entertained by them and by the public that they may be pleased to devise some speedy and effectual measures for their relief.

For this purpose they appointed a Committee of their number to attend that meeting at whatever time it should be held, and in obedience to that appointment, Mr. Scott at Perth, Mr. Meik at Kinnoul, and Mr. Kemp at Trinity-Gask have waited upon this meeting.

Their intention is not to propose any particular plan which the Clergy wish to have adopted. They are sensible that every scheme hitherto attempted has been attended with many difficulties in the execution, that to obviate or prevent such difficulties in the future will require very great attention as well as knowledge of the subject. To the wisdom of the Gentlemen to devise, and to their power and activity to carry into execution such measures as may be effectual for that purpose, they leave this very interesting object. They only beg leave in name of the Clergy within the bounds of the County to assure the Gentlemen that if any plan shall be devised for the relief of the Country in the respects above stated, their zealous endeavours, if necessary and required, shall not be wanting to carry it into execution.

6th June 1775.

A P P E N D I X.

Abridgement of the Acts relating to poor.

THAT none be permitted to beg of any age betwixt fourteen and seventy, until after examination it be found that they cannot earn a living otherwise: That such who are permitted to beg in the country, shall have a token given them by the Sheriff, and within burgh by the Bailies; and that all others must apply themselves to work under the pain of burning on the cheek and banishment 1424, 25. 1424, 42. Black Acts 1457, 18. 1503, 70. That none be permitted to beg except in the parish where they were born: That the headsmen of every parish give badges to the beggars who are to be supported by the Parish, and that alms be given to none but who have badges, 1535, 22. James I. Act about beggars ratified with this addition: That none be permitted to beg but in the parish where they were born: That the headsmen of every parish give badges to the beggars thereof, and that none be served with alms but those who have badges: That the Justice Clerk make inquisition and take ditty thereupon at every Justice ayre, and letters are ordained to be directed to charge all officers of the law to put this act in execution. Black Acts 1551, 25.

That the number of the poor of every parish may be known, ordained, that all poor people, within forty days of the proclamation of this present act, at the market cross of Edinburgh, repair to the parish where they were born, or had their most common resort or residence the last seven years by-past, and there settle themselves under the certification of being punished as vagabonds; and the said space of forty days being past, that the Magistrates within burghs, and the Judge constituted by the King's commission in every landward parish, make a catalogue of the names of the poor, containing the place of their birth, whether married or unmarried, what children they have, &c. and that houses be provided for them, either separatly or with others; and that the whole inhabitants of the parish,

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without exception, be taxed and stainted according to their substance, for such weekly charge and contribution as shall be thought sufficient to sustain the said poor people: That collectors be yearly appointed for collecting and receiving the said taxation, and for distributing the same by the orders of the said Magistrates and Judge: That the stent roll be renewed every year, because of alterations that may happen by death or by the increase or diminution of the substance of the contributors: That the said Magistrate and Judge give testimonials to such poor people as they find not born in the parish, or who have not had residence there the last seven years, directing them to the next parish, and so from parish to parish until they arrive at the parish where they were born, or where they had there most common resort or residence during the preceeding seven years, there to be supported as above ordained, allowance being given to those poor people to ask alms in their passage, providing they pass directly on without lodging two nights in one place, otherwise to be punished by scourging, imprisonment burning through the ear, and for the second fault, to be punished as thieves. If people chosen collectors refuse the office, or be found negligent in the exercise thereof especially, by refusing to account every half-year to the Magistrates within burgh, and to the Judge in landward, they shall incur the penalty of 20*l.* to the use of the poor of the parish, and imprisonment during the King's will. Such of the poor as are not altogether disabled shall be put to work by the overseers of the poor, to be named along with the collectors by the said Magistrates and Judge, and if they refuse to work, they shall be scourged and put into the stocks, and for the second fault be punished as vagabonds. In parishes where money cannot be easily had, it shall be lawful to the said Magistrates and judge, with advice of some of the most creditable parishioners, to licence so many of the poor as they think proper to beg alms within the parish. Recommend to Sheriffs, Stewarts, and Baillies of regalities, to see this act put in execution. and if any doubt happen to arise, the interpretation thereof remitted to the King and Council. 1579, 74.

Power given to the minister, elders, and deacons, within every

every parish, to nominate one or more persons for executing the above act, who are appointed Justices and Commissioners to that effect. 1592, 149.

In place of Judges in landward parishes named by the King, execution of the above act intrusted to the kirk-session in every parish. 1597, 272.

And to the effect his Majesty may be the better assured of the care and diligence of the kirk-session in the execution of the said act of Parliament, the haill presbyteries within the realm, appointed to take trial of the respective kirk-sessions, and to report the same to his Majesty's ministers, and the penalty of 20 l. to be exacted from every kirk-session so oft as they are found negligent. 1600, 19.

That the Justices shall twice in the year, first December and first June, take up a list of the poor in every parish, and in every parish shall appoint two or more overseers of the poor, who are to inlist and inroll all persons truly indigent, to provide them convenient houses; and upon considering what the necessary maintenance will extend to weekly, to call for the collections of the parish, or other sums appointed for the maintenance of the poor, to be distributed by them among the inrolled poor, as their necessity shall require; That the Justices, once every six months, call before them the overseers, and take a strict account from them how they have discharged their trust and in case of refusal of the overseers to accept, or of negligence in office after acceptance, to fine each in 20 l. Scots, for the use of the poor. 1661, 38.

Considering that the chief cause why the acts about the poor have proved ineffectual, and that vagrants and idle persons do yet so much abound, hath been, that there were few or no common works then erected, and that now common works for manufacturers of divers sorts are setting up in this kingdom; Therefore declared lawful for all persons or societies, who have, or shall set up any manufacture, to seize and apprehend any vagabonds who shall be found begging, or who, being masterless
and

and out of service, have not wherewith to maintain themselves by their own means and work, and to employ them for their service as they shall see fit ; the same being done with the advice of the respective magistrates of the place where they shall be seized ; and ordains the parishes, where such vagabonds and idle persons as shall be found begging were born, or in case the place of their nativity be not known, the parishes where they have any residence, haunt, or most resort for the space of three years, immediately preceeding their being so apprehended, who are thereby relieved of the burden of them, to make payment to the persons or societies who shall happen to employ them of 2 s. Scots per. diem for the first year after they are apprehended, and of 1 s. Scots for the next three years, the one-half whereof to be paid by the heritors of the several parishes respectively, and the other half to be paid by the possessors and inhabitants dwelling upon the ground of each heritor respectively. Further, the heritors of each parish, or as many of them as happen to meet upon public intimation made at the parish-kirk upon any Sabbath, at the dissolving of the congregation from the first sermon by any of the heritors of the parish, or by the employers of the poor, are ordained to make up a stent-roll for maintenance of the poor in their parish, who shall be employed as said is at the rate aforesaid, the one half thereof to be paid by the heritors, either according to the old extent of their lands within the parish, or according to the valuation by which they last paid assessment, or otherwise, as the major part of the heritors so meeting shall agree, life-renters and wadsetters, during their rights, being liable as heritors ; and the other half to be laid upon the tenants and possessors, according to their means and substance ; and in case the said heritors being required by any person or society employing the poor as said is, shall fail to make up and deliver a stent roll in manner foresaid, the said person or society are impowered to charge the heritors of each parish for 2 s. Scots per diem for each one of their poor, whereof they shall be relieved in manner foresaid ;

faid ; which stent-roll shall continue for one year after the making up thereof, either by the heritors or by the person or society employing the poor, and shall be renewed from year to year during the years above written. Provided that the heritors, in case they shall fail to make up a stent roll and be charged for the whole, shall have relief off the tenants and possessors of their lands; for the one half of what they shall be distressed for ; and letters of horning are ordained to be directed at the instance of the persons or societies, employers of the poor, against the heritors, for payment of the said daily allowance of the poor, and against the receipters of the poor, after they are so employed, for 10 s. Scots per diem, upon fifteen days warning, in case, after examination, the Lords of the Privy Council shall find cause for directing such letters. All inferior magistrates ordained to be assisting in apprehending the said vagabonds, and in bringing them back to their service after they shall be employed, and the poor so employed shall continue in the service of their employers, and under their direction and correction, not only during the space of the maintenance to be paid for them by the parishes, but also for the space of seven years thereafter, for meat and cloaths only. 1663, 16.

Correction houses appointed to be provided by the magistrates of the several burghs named in the act, betwixt and Whitsunday 1673, under the penalty of 500 merks quarterly, until the correction houses be provided ; the penalties to be applied for building correction houses, or for purchasing houses for that use. Lists of the poor to be made in every parish by the minister and elders, after due intimation given to the heritors, condescending particularly where the poor were born, and in what parishes they have haunted during the last three years, The poor who through age or infirmity are not able to work, to be supplied by the contributions at the parish kirk, and the same falling short, to be allowed badges to ask alms within the parish. The poor who are able to work, to be first offered to any person within the parish, who will accept of them as apprentices and servants, and there-

by relieve the parish of them; upon which account he shall have the benefit of their work, until they attain the age of 30 years; and failing of being so provided within the parish, they shall be sent to the correction house; and for the better enabling the burghs to bear the charges and expences of the said correction houses, the contributions and allowances for maintaining the poor, appointed by act 16. parliament 1663, are to be applied for the use of said correction houses; and if any heritor shall find within his bounds, any other vagabonds, beggars, or idle persons, not being in service, nor having any visible way of living, who were not born nor did haunt formerly within the parish, he is impowered to seize such persons, to send them to the correction house, and to charge the magistrates or master of the correction house to receive them, without any allowance; with power, notwithstanding, to the said magistrates or master to charge the heritors of the parish where these persons were born, or did mostly haunt the last three years, for the allowance of such of them as are not bred to work, and for such as can work, the master shall have the benefit of their work, for their meat, 1672, 18.

The heritors, ministers, and elders of every parish, required to make a list of all the poor within the parish, to liquidate a yearly sum for maintenance, the one half to be paid by the heritors, the other half by the other householders; to appoint two overseers yearly to collect the said maintenance weekly, monthly, or quarterly, as shall be found convenient, and to distribute the same among the poor, according to their several needs; likewise to appoint an officer to serve under the overseers, for in-bringing the maintenance, and for expelling stranger vagabonds out of the parish, whose fee is to be stented on the parish, as the maintenance for the poor is stented: and such poor as are not provided with houses are to be provided at the expence of the parish, and the heritors are to put to work any of the poor that can work either within the parish, or in an adjacent manufactory, the parish that fails in providing for their poor, to

to pay the sum of 200 l. Scots monthly toties quoties, as they shall fail in their duty, a third part to the pursuer, and the remainder to be applied to the maintenance of the poor within the parish; the interest of mortified money to be applied to the use foresaid, by the advice of the heritors and elders, All the ministers required to give the sheriff timeous information of any parish which shall fail in performance of this Christian duty in whole, or in part; the guilty to be fined in double the quota of what the minister shall attest to be wanting, upon which poinding shall immediatly proceed And lastly, the heritors minister, and elders of every parish, are to meet the first Tuesday of February, and first Tuesday of August yearly, to consult and determine in the above matters, for every ensuing half year, and to appoint overseers by the year or half year, as they shall think fit. Act of Privy Council, 11th August 1692.

All the ministers and heritors required to give to the sheriff intimation of any parish or person who fails in maintaining the poor; the guilty to be fined in double, and the fine to be levied by poinding, and the half of the collections at the church door are to be paid to the heritors or to any by them appointed to be applied towards the said maintenance. Act of Privy Council, 29th August 1692.

The sheriff, justices of the peace, and magistrates of royal burghs, are to take trial how far the acts of parliament and acts of council have been obeyed and put to execution, and to fine and amerciate the delinquents, in terms of the said acts, Act of Privy Council, 31st July 1694.

To the end that all the poor may be returned to their parishes and the nation freed of of vagabonds, all beggars required to repair to their several parishes, there to be listed among the poor of the parish, and lodged and entertained accordingly, with certifications to those who shall be found begging without the bounds of their parish, after the second Tuesday of September 1692, that they shall be seized as vagabonds, imprisoned and fed on bread and water for a month, and then sent home to their parishes in the manner specified in the act; whoever shall give alms to any beggar not of the parish, and shall not seize the beggar to be sent back to his own parish, shall

shall by the overseers be fined in 20 s. to be applied to the use of the poor. Act of Council, 11th August 1692.

The parishes to which beggars are as above directed to repair, declared to be the parishes where they were born, and that not being certain, the parishes where they last resided for the space of seven years together. Act of Council, 29th August 1693.

The act 18. parliament 1672, revived so far as concerns providing correction houses within the burghs therein mentioned, for receiving and entertaining of beggars, vagabonds, and idle persons, the Magistrates of the said burghs are to appoint masters and overseers of the correction houses, by the advice of the presbyteries, who are to set these poor persons to work; but in place of the commissioners of excise mentioned in the said act, the Sheriff is appointed to put the said act in execution. The Magistrates of the burghs where such correction houses are to be established, are ordained to maintain all the poor sent to them, till correction houses are provided, and that by and attour the penalties in the above statute. Act of Privy Council, 3d March 1698.

All acts of parliament, and acts and proclamations of council, for maintaining the poor, and repressing of beggars, ratified and revived. 1695, 43.

All acts of parliament and proclamations of council for repressing beggars, and for maintaining and employing the poor, ratified particularly a proclamation of the Privy Council, 3d March 1698, and the other proclamations therein mentioned; and it is declared that the correction house appointed by act 1672 to be built at Dunse, is to be built at Greenlaw. 1698, 21.

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